

# United States District Court

## EASTERN DISTRICT OF WISCONSIN

### JUDGMENT IN A CIVIL CASE

**JEFFREY SMITH,**

Plaintiff,

v.

CASE NUMBER: **09-C-538**

**MEDICAL BENEFIT ADMINISTRATORS GROUP, INC.**  
**d/b/a Auxiant,**

Defendant.

- Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- Decision by Court.** This action came on for consideration and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that judgment is entered in favor of the defendant and against the plaintiff on the plaintiff's claim that the defendant violated the Employee Retirement Income Security Act ("ERISA").

The defendant's motion for summary judgment is **GRANTED**.

The defendant's request for attorney fees is **DENIED**.

The plaintiff's motion for summary judgment is **DENIED**.

This action is hereby **DISMISSED**.

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**April 19, 2012**

Date

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**JON W. SANFILIPPO**

Clerk

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s/ Linda M. Zik  
(By) Deputy Clerk